



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes CNR, MNDC, OLC, ERP, RP, PSF, LRE, FF, O

This hearing was set to hear the tenant's application for a variety of orders including orders setting aside a 10 Day Notice to End Tenancy for Non-Payment of Rent and a repair order.

The tenant's application for dispute resolution had been filed with the Residential Tenancy Branch on January 12, 2015 and amended on January 16, 2015. The tenant's main evidence package was filed with the Residential Tenancy Branch on January 16.

The landlord did not appear. He was represented at the hearing by an articling student, who had been instructed to ask for an adjournment. The student explained that the landlord had been called away on urgent family business the previous week and was not due back until February 16, 2015; that the landlord had not provided him with a copy of the tenant's evidence; and that he had not had an opportunity to interview his client. The landlord had not filed any evidence in advance of the hearing.

I was prepared to hear the tenant's evidence at this time and then adjourn the hearing to a subsequent date to hear the landlord's evidence but the articling student advised that he had to be in Provincial Court within the time set aside for this hearing.

The tenant wants the application to proceed as quickly as possible as part of her application is for an order that the landlord repair the furnace.

Recognizing that the landlord had put his representative in a very difficult situation I agreed to a short adjournment to a date and time when both the tenant and the articling student were available and when the student was not already scheduled to be in court. The earliest date available was Thursday, February 12, 2015, at 1:00 pm.

In deciding whether to grant the adjournment I considered the fact that the hearing date had been set only three weeks after the day the tenant had filed her application and barely two weeks after she amended it.

Accordingly, the hearing is adjourned to February 12, 2015, at 1:00 pm, at which time the tenant's evidence will be heard. If necessary, the hearing will be adjourned once again to the earliest mutually convenient time so the landlord may present his evidence.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: February 03, 2015

Residential Tenancy Branch

